

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MATTHEW ENTERPRISE, INC.,

Plaintiff,

v.

CHRYSLER GROUP LLC,

Defendant.

Case No. [13-cv-04236-BLF](#)

**ORDER GRANTING PLAINTIFF'S
MOTION TO FILE UNDER SEAL
PORTIONS OF ITS OPPOSITION TO
DEFENDANT'S PARTIAL MOTION TO
DISMISS**


On September 2, 2014, this Court granted Defendant's Motion to File Under Seal portions of two documents, Defendant's Partial Motion to Dismiss and its Exhibit 1 to the Motion, finding that Defendant had met its burden to show "compelling reasons" to seal information that, if disclosed, could have competitively disadvantaged it. *See* ECF 58.

Before the Court now is Plaintiff's Motion to File Under Seal portions of its Opposition to Defendant's Partial Motion to Dismiss. ECF 61. The information Plaintiff seeks to seal references the same confidential information the Court has previously ordered sealed pursuant to Defendant's request. ECF 58. Plaintiff has filed a public, redacted version of its Opposition to Defendant's Partial Motion to Dismiss, consistent with Civil Local Rule 79-5(d)(1)(C). Defendant provides the Court with a declaration ("Nagel Decl.") which states reasons why disclosure of this information could "competitively disadvantage" Defendant. *See* Nagel Decl., ECF 62 ¶ 3. As such, Plaintiff's sealing request meets the "compelling reasons" standard articulated by the Ninth Circuit in *Phillips ex rel. Estates of Byrd v. Gen. Motors Corp.*, 307 F.3d 1206, 1213 (9th Cir. 2002).

For the foregoing reasons, the Court GRANTS Plaintiff's Motion to Seal, and permits Plaintiff to file under seal portions of its Opposition to Defendant's Partial Motion to Dismiss thereto.

IT IS SO ORDERED.

Dated: September 18, 2014


BETH LABSON FREEMAN
United States District Judge

United States District Court
Northern District of California